

Attorney Docket: 012.P28085

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REMARKSStatus of Claims

Claims 1-5, 7-16 and 18 are pending in the above-referenced patent application. In this response, no claims have been added, cancelled or amended. Reconsideration in light of the following remarks is respectfully requested.

Claim Rejections – 35 USC 102(e)

In the Office Action, the Examiner rejected claims 1, 2, 4, 7-9, 11, 12, 14 and 18 under 35 U.S.C 102(e) over Peters et al. (U.S. Pat. No. 6,590,969, hereinafter, "Peters"). This rejection is respectfully traversed.

Assignee respectfully submits that Peters does not recite each and every element of the rejected claims, as required by 35 U.S.C 102(e), and, therefore, a prima facie case under 35 U.S.C. 102(e) has not been established. As just an example, referring to claim 1, Peters does not show or describe at least "sending to the terminal a proposal of an address of said at least one other communication system by utilizing a data transmission connection set up between the terminal and a first communication system to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets of the at least one other communication system outside a home network of the terminal", as recited in claim 1.

Although Peters describes a method of automatically routing incoming calls, the calls are automatically rerouted to a destination assigned by a "presence gatherer". See, for example, col 4:13 – col 4:48. In Peters, a "presence gatherer" determines a suitable terminal in which to forward the call, and the call is *automatically forwarded* to the terminal designated by the "presence gatherer". There is no description of sending a "proposal of an address of said at least one other communication system", "to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets". For example, quoting from col 5:43 – col 5:47 of Peters, "The address receiving unit ADD_RX receives this address and applies it to the control terminal of the call forwarding unit CALL_FW which automatically forwards the fax call to the facsimile terminal FAX_T." As clearly

illustrated by the foregoing portion of Peters, a suitable destination is determined by the "presence gatherer", and the call is *automatically forwarded* to the suitable destination via the call forwarding unit "CALL_FW", which is an element of the mobile terminal "MOB_T" that receives the call.

Therefore, because Peters fails to show or describe each and every element of the rejected claims, a sufficient showing of anticipation has not been established, and claim 1 is in condition for allowance. Additionally, claims 2, 4, 7-9, 11, 12, 14 and 18 either depend from or include limitations similar to those in claim 1, and, therefore, are in a condition for allowance for at least the same reasons.

Assignee respectfully submits that because a sufficient showing of anticipation has not been established, all pending claims are in a condition for allowance. It is noted that many other bases for traversing the rejections could be provided, but Assignee believes that the grounds presented above are sufficient. Assignee respectfully submits that because Peters does not disclose each and every element of the rejected claims, a *prima facie* case under 35 U.S.C. 102(e) has not been established, and all pending claims are in condition for allowance. It is, therefore, respectfully requested that the Examiner withdraw the rejection of these claims, and allow all pending claims to proceed to allowance.

Claim Rejections – 35 USC §103(a)

In the Office Action, the Examiner rejected claims 5 and 15 under 35 USC 103(a) over Peters in view of Lindberg et al. (U.S. Pub. No. 20030140145, hereinafter "Lindberg"); rejected claims 10 and 16 under 35 USC 103(a) over Peters in view of Goss et al. (U.S. Pub. No. 20020137498, hereinafter "Goss"); and rejected claims 3 and 13 under 35 USC 103(a) over Peters in view of De Loye et al. (U.S. Pub. No. 20020115471, hereinafter "De Loye"). These rejections are respectfully traversed.

It is noted that as required by 35 USC 103(a), in order to establish a *prima facie* case of obviousness, all the claim limitations of the rejected claims must be taught or suggested by the prior art. It is respectfully submitted that the cited references do not meet these criteria. For example, the cited art, alone or in combination, does not teach or suggest all the claim limitations. Accordingly, a *prima facie* case of obviousness has not been established.

As mentioned previously with reference to the Examiner's rejection under 35 USC 102(e), Peters includes at least one deficiency. For example, Peters does not show or describe at least "sending to the terminal a proposal of an address of said at least one other communication system by utilizing a data transmission connection set up between the terminal and a first communication system to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets of the at least one other communication system outside a home network of the terminal", as recited in claim 1, from which claims 3, 5 and 10 depend. Furthermore, claims 13, 15 and 16 include limitations similar to those of claim 1. It is respectfully submitted that none of Lindberg, Goss or De Loye cure the deficiency noted in Peters, and, accordingly, claims 3, 5, 10, 13, 15 and 16 are in a condition for allowance.

As one specific example, as explained previously, in Peters, a "presence gatherer" assigns a suitable terminal in which to forward the call, and the call is *automatically forwarded* to the terminal designated by the "presence gatherer". There is no description of sending a "proposal of an address of said at least one other communication system", "to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets".

Furthermore, Lindberg fails to cure the noted deficiency of Peters. For example, although Lindberg describes establishing communication sessions via session invitations, Lindberg does not teach or suggest "sending to the terminal a proposal of an address of said at least one other communication system by utilizing a data transmission connection set up between the terminal and a first communication system to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets of the at least one other communication system outside a home network of the terminal", as recited in claim 1, from which claim 5 depends. Therefore, Lindberg does not provide the missing aspects of claim 5 discussed above.

Accordingly, any resultant combination, even assuming such a combination could be successfully made, would still not teach or suggest all the elements of the rejected claims, as set forth above. Accordingly, the Examiner has failed to make a successful *prima facie* showing of obviousness.

It is, therefore, respectfully requested that the Examiner withdraw his rejection of claim 5, and it is respectfully asserted that claim 5 is a condition for allowance.

Additionally, claim 15 includes similar limitations as those of claims 1 and/or 5 and is, therefore, not rendered obvious for at least the same or similar reasons. Accordingly, it is respectfully requested that the Examiner withdraw the rejections of claims 5 and 15 and allow these pending claims to proceed to allowance.

Furthermore, Goss fails to cure the noted deficiency of Peters. For example, Goss describes automatically forwarding calls without user interaction. Goss does not teach or suggest "sending to the terminal a proposal of an address of said at least one other communication system by utilizing a data transmission connection set up between the terminal and a first communication system to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets of the at least one other communication system outside a home network of the terminal", as recited in claim 1, from which claim 10 depends. Therefore, Goss does not provide the missing aspects of claim 10 discussed above.

Accordingly, any resultant combination, even assuming such a combination could be successfully made, would still not teach or suggest all the elements of the rejected claims, as set forth above. Accordingly, the Examiner has failed to make a successful *prima facie* showing of obviousness. It is, therefore, respectfully requested that the Examiner withdraw his rejection of claim 10, and it is respectfully asserted that claim 10 is a condition for allowance.

Additionally, claim 16 includes similar limitations as those of claims 1 and/or 10 and is, therefore, not rendered obvious for at least the same or similar reasons. Accordingly, it is respectfully requested that the Examiner withdraw the rejections of claims 10 and 16 and allow these pending claims to proceed to allowance.

Furthermore, De Loye fails to cure the noted deficiency of Peters. For example, De Loye describes forwarding calls from a mobile terminal to an "office device", but De Loye does not teach or suggest "sending to the terminal a proposal of an address of said at least one other communication system by utilizing a data transmission connection set up between the terminal and a first

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communication system to be accepted and/or to activate the redirection wherein the proposal comprises one or more possible call forward targets of the at least one other communication system outside a home network of the terminal", as recited in claim 1, from which claim 3 depends. Therefore, Lindberg does not provide the missing aspects of claim 3 discussed above.

Accordingly, any resultant combination, even assuming such a combination could be successfully made, would still not teach or suggest all the elements of the rejected claims, as set forth above. Accordingly, the Examiner has failed to make a successful *prima facie* showing of obviousness. It is, therefore, respectfully requested that the Examiner withdraw his rejection of claim 3, and it is respectfully asserted that claim 3 is a condition for allowance.

Additionally, claim 13 includes similar limitations as those of claims 1 and/or 3 and is, therefore, not rendered obvious for at least the same or similar reasons. Accordingly, it is respectfully requested that the Examiner withdraw the rejections of claims 3 and 13 and allow these pending claims to proceed to allowance.

It is noted that many other bases for traversing the rejections could be provided, but Assignee believes that the grounds presented above are sufficient. Assignee respectfully submits that because a *prima facie* case under 35 U.S.C. 103 has not been established, these pending claims are in condition for allowance. It is, therefore, respectfully requested that the Examiner withdraw the rejection of these claims, and allow these claims to proceed to allowance. Additionally, it is noted that the Assignee's failure to comment directly upon any position(s) asserted by the Examiner in the office action does not indicate agreement or acquiescence with that (those) position(s). For example, Assignee does not agree or acquiesce to Examiner's position as to whether there is any motivation to combine the cited documents or whether there would be any reasonable expectation of success from making such a combination. Rather, the foregoing is believed sufficient and, therefore, any such position(s) are believed to be rendered moot as a result.

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JUN 15 2007**CONCLUSION**

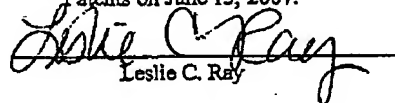
In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated: June 15, 2007/Michael J. Willardson/Michael J. Willardson
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Leslie C. Ray